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Chemical firm targeted in Middlesex well probe

By ROBERT G. SEIDENSTEIN

A state appeals court decision yesterday revealed that a New Jersey grand jury is investigating a chemical firm on charges that it tampered with pollution monitoring wells.

The firm, CPS Chemical Co., had been the subject of a major civil lawsuit arising out of the contamination of water supplies in Middlesex County.

According to the federal Environmental Protection Agency, the Chemical and Pollution Sciences (CPS) Co. Inc. and Madison Industries site in Old Bridge is one of the worst toxic waste dump sites in the nation.

The watershed that was polluted serves as the major drinking source for Perth Amboy.

Last April, an appeals court up-

held a ruling in a civil lawsuit ordering the firms to undertake a multimillion-dollar remedial plan at the site.

Yesterday's court decision revealed that a criminal investigation of CPS has also resulted from the pollution. The revelation came in a decision dealing with CPS's unsuccessful attempt to block certain testimony from being considered by the grand jury.

Lee Hilles Wertheim, the attorney for the firm, said it would be inappropriate for her to comment on the investigation. Although yesterday's decision was released by the court, the underlying record in the case has been impounded.

In yesterday's decision—which was made by Appellate Division Judges Robert Matthews, James H. Coleman Jr. and Geoffrey Gaulkin—the court

said, "Evidence obtained as a result of the execution of (a May 1981) search warrant and from other sources resulted in the state grand jury investigation.

"That investigation revealed, among other things, that employees of CPS were provided by supervisory personnel of CPS with a key to the lock that secured access to the monitoring wells... and were directed to place a hose and inject water into those wells," the court said.

It added, "Further, the employees were directed to inject water into the wells only at night, for periods of hours, and were specifically directed by a supervisor not to record the activity in the shift supervisor's log... In addition, the employees stated that this activity took place on nights preceding sampling of the monitoring wells, and

also that they were directed to make certain that the hoses were withdrawn before daylight."

The court noted that shortly after the search warrant was executed, a newspaper had published an interview with a CPS employee who said CPS had flushed monitoring wells located on its premises with water.

CPS had hired an outside firm to install monitoring wells. The appeals court said the state concluded that the firm "was duped" as to the supervision of the wells.

Last year, CPS was indicted on charges that it disposed of hazardous wastes by dumping them into the Old Bridge sewer system, according to Thomas Cannon, a spokesman for the Attorney General's Office. Cannon refused comment on the investigation revealed yesterday by the court.

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